

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK  
VARIABLE LIFE INSURANCE  
COMPANY, and MANULIFE  
INSURANCE COMPANY (f/k/a  
INVESTORS PARTNER INSURANCE  
COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

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CIVIL ACTION NO. 05-11150-DPW

**PLAINTIFFS' ASSENTED-TO MOTION FOR LEAVE TO FILE  
MEMORANDUM IN RESPONSE TO ABBOTT LABORATORIES'  
OPPOSITION TO STONETURN'S MOTION TO QUASH**

Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company and Manulife Insurance Company (collectively, "John Hancock" or "Hancock") hereby move this Court for leave to file a brief Memorandum, not to exceed five (5) pages, in response to Abbott Laboratories' Opposition to Motion of Nonparty StoneTurn Group, LLP to Quash or Modify Subpoena (Docket Entry No. 125) ("Opposition"). Counsel for Abbott Laboratories ("Abbott") has assented-to this Motion.

John Hancock respectfully submits that a brief memorandum is justified because: (1) Abbott is attempting to seek from StoneTurn the type of information and documents that Abbott previously refused to provide to Hancock, i.e., information in relation to other audits;

(2) Abbott's request that Hancock stipulate that it would not rely on other audits of companies other than Abbott or be subject to a Court order prohibiting such evidence has no merit; and  
(3) Abbott implies that its prior examination of StoneTurn's representatives was hampered because they had not been provided documents related to other audits, but Abbott had never previously requested those documents. John Hancock believes that its proposed memorandum will assist the Court in addressing these issues and the Motion to Quash on the merits.

**WHEREFORE**, John Hancock respectfully requests that it be granted leave to submit a memorandum in response to Abbott Laboratories' Opposition to Motion of Nonparty StoneTurn Group, LLP to Quash or Modify Subpoena, containing no more than five (5) pages of text, within three (3) business days of the Court granting this Motion.

Respectfully submitted,

JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK VARIABLE  
LIFE INSURANCE COMPANY and  
MANULIFE INSURANCE COMPANY

By their attorneys,

/s/ Karen Collari Troake

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Date: May 10, 2007

**LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1(A)(2), the undersigned counsel for Plaintiffs hereby certifies that, on May 9, 2007, counsel for John Hancock conferred in good faith with counsel for Abbott in an effort to resolve or narrow the issues that are the subject of this Motion and counsel for Abbott assented to this Motion.

/s/ Karen Collari Troake  
Karen Collari Troake

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by electronic and overnight mail upon Eric J. Lorenzini, Esq., Munger, Tolles & Olson LLP, 355 South Grand Avenue, 35th Floor, Los Angeles, CA 90071 and Peter E. Gelhaar, Esq., Donnelly, Conroy & Gelhaar, LLP, One Beacon Street, 33rd Floor, Boston, Massachusetts 02108, on this the 10<sup>th</sup> day of May, 2007.

/s/ Karen Collari Troake

Karen Collari Troake